

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JASON R. BROWN

Plaintiff

V.

BOWIE COUNTY CORRECTIONAL
CENTER, ET AL.

Defendants

Case No. 5:21-cv-00038-RWS-CMC

ORDER

Plaintiff Jason R. Brown, proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Plaintiff was ordered to pay an initial partial filing fee of \$24.00 pursuant to 28 U.S.C. § 1915(b). Docket No. 4. By separate order, Plaintiff was directed to file an amended complaint setting out a short and plain statement of his claims. Docket No. 5. When he did not comply, the Magistrate Judge issued a Report on June 1, 2021, recommending dismissal of the lawsuit without prejudice for failure to prosecute or to obey an order of the Court. Docket No. 7.

A copy of this Report was sent to Plaintiff at his last known address, with return receipt requested, but was returned as undeliverable. Docket No. 8. Bowie County records show he was released from jail on May 25, 2021. Plaintiff has not contacted the Court since his release, nor supplied a current address. The lawsuit form which Plaintiff filed contains a declaration that states, “I understand if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.” Docket No. 1 at 5.

Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and—except upon grounds of plain error—from appellate review of the unobjected-to factual findings and legal conclusions

accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Report of the Magistrate Judge (Docket No. 7) is adopted as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 4th day of November, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE